

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
SOUTHERN DIVISION**

DARRELL JAMES PARKS,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. 06-3375-CV-S-RED-H
	)	
JOSEPH E. GUNJA, Warden,	)	
United States Medical Center for	)	
Federal Prisoners,	)	
	)	
Respondent.	)	

**REPORT AND RECOMMENDATION OF  
THE UNITED STATES MAGISTRATE JUDGE**

Petitioner, an inmate formerly confined at the United States Medical Center for Federal Prisoners, has petitioned this Court for a writ of habeas corpus. The petition has been referred to the undersigned for preliminary review under 28 U.S.C. § 636(b). Because petitioner is entitled to no relief, it will be recommended that leave to proceed in forma pauperis be denied.

As grounds for relief in habeas corpus, the petitioner challenges the results of a disciplinary hearing. A Show Cause Order was entered and, in a Response, the United States asserts that the defendant has failed to exhaust administrative remedies. There has been no traverse to that allegation.

Counsel for the petitioner has filed a Motion to Withdraw. Because petitioner is no longer housed at the United States Medical Center, and because he has failed to exhaust administrative remedies, that request is granted.<sup>1</sup>

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<sup>1</sup> Petitioner has 10 days in which to file exceptions to the Report and Recommendation of the United States Magistrate Judge.

Whatever the merits of petitioner's allegations, he has not exhausted administrative remedies, and this matter cannot proceed.

For the foregoing reasons, it is, pursuant to the governing law and in accordance with Local Rule 72.1 of the United States District Court for the Western District of Missouri,

RECOMMENDED that petitioner be denied leave to proceed in forma pauperis, and that the petition herein for writ of habeas corpus be dismissed without prejudice.

/s/ James C. England  
**JAMES C. ENGLAND, CHIEF**  
**UNITED STATES MAGISTRATE JUDGE**

Date: February 22, 2007